

JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

AMANY SIMMONDS,  
Plaintiff,  
v.  
WELLS FARGO BANK, N.A. and  
DOES 1 to 100, Inclusive,  
Defendants.

CASE No.: 8:18-cv-01280-JVS-JDE

**ORDER DENYING PLAINTIFF'S  
MOTION TO REMAND; GRANTING  
WELLS FARGO'S MOTION TO  
DISMISS WITH PREJUDICE; AND  
DECLINING TO ISSUE A  
PRELIMINARY INJUNCTION TO  
PLAINTIFF**

Date: November 5, 2018  
Time: 1:30 p.m.  
Ct: 10C

[Assigned to the Hon. James V. Selna]

On November 5, 2018, at 1:30 p.m. in Courtroom 10C of the above-entitled Court, the Hon. James V. Selna presiding, a hearing was held on the following matters:

- (1) the motion to remand filed by plaintiff Amany Simmonds ("Plaintiff");
- (2) the motion to dismiss filed by defendant Wells Fargo Bank, N.A. ("Wells Fargo"); and
- (3) the request for a preliminary injunction filed by Plaintiff.

At the hearing, the Court having read and considered the motions and supporting papers, the oppositions and replies and supplemental briefs, and the oral


1 argument of the parties, adopted its tentative ruling in full to deny the motion to  
2 remand, grant the motion to dismiss with prejudice, and deny the request for a  
3 preliminary injunction.

4 The Court has considered Plaintiff's objections to the form of Judgment  
5 (Docket No. 39), and finds them without merit.

6 **THEREFORE IT IS HEREBY ORDERED:**

- 7 1. Plaintiff's motion to remand is denied;
- 8 2. Wells Fargo's motion to dismiss is granted without leave to amend;
- 9 3. Plaintiff's request for a preliminary injunction is denied;
- 10 4. The action is dismissed with prejudice;
- 11 5. Plaintiff shall take nothing from Wells Fargo; and
- 12 6. Judgment shall be entered in favor of Wells Fargo.

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14  
15  
16 DATED: November 15, 2018

  
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THE HON. JAMES V. SELNA  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I am employed in the City of Pasadena, California; my business address is Anglin, Flewelling, Rasmussen, Campbell & Trytten, LLP, 301 N. Lake Avenue, Suite 1100, Pasadena, California 91101-4158.

On the date below, I served a copy of the foregoing document entitled:

**[PROPOSED] ORDER DENYING PLAINTIFF'S MOTION TO REMAND;  
GRANTING WELLS FARGO'S MOTION TO DISMISS WITH  
PREJUDICE; AND DECLINING TO ISSUE A PRELIMINARY  
INJUNCTION TO PLAINTIFF**

on the interested parties in said case as follows:

**Served Electronically  
Via the Court's CM/ECF System**

***Counsel for Plaintiff:***

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made. This declaration is executed in Pasadena, California on November 9, 2018.

Lina Velasquez

(Type or Print Name)

/s/ Lina Velasquez

(Signature of Declarant)